

**STATE OF MAINE JUDICIAL BRANCH  
PANDEMIC MANAGEMENT ORDER  
Order Issued December 1, 2020**

**Order Regarding Submission of Documents by Email in  
Protection from Abuse and Protection from Harassment Cases**

This order governs the filing of documents by email only in protection from abuse and protection from harassment cases. **The filing of documents by email in civil, criminal, juvenile, family matter, and appellate cases shall be governed by PMO-SJC-3.**

**A. Documents that Can be Filed by Email**

Effective December 1, 2020, all Maine courts will accept the filing by email of documents protection from abuse and protection from harassment cases, **except for:**

1. Complaints for protection from harassment that require a filing fee;
2. Motions to extend protection from harassment orders that require a filing fee.<sup>1</sup>

**B. Filing Date and Docketing of Documents that Are Filed by Email**

The filing date will be the business day the document is submitted. A day begins at 12 a.m. and ends at 11:59 p.m. in the time zone where the courthouse is located. If a document is submitted on a Saturday, Sunday, or legal holiday the filing date will be the next business day.

Complaints and motions to extend will be docketed the same day they are submitted by email provided they are filed before 3:00 p.m. on a business day. If they are submitted by email on a weekend, legal holiday, or after 3:00 p.m. on a week day, they will be docketed the next business day.

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<sup>1</sup> Complaints for protection from harassment and motions to extend protection from harassment orders that do not require a filing fee are those which are based on allegations of domestic violence, sexual assault, stalking, sex trafficking, and unauthorized dissemination of certain private images.

It may take up to two business days for all other documents to be docketed and all filers should expect that delay. Even when there is a delay in docketing, the filing date will be the date of submission.

### **C. Format of Documents that Are Filed by Email**

Attorneys and parties may submit documents in Word, PDF, or other common document formats by email for filing in courts other than the Bangor District Court. Proposed orders, however, must be sent in Word format (except for proposed child support orders and worksheets which may be sent as PDFs). All documents, including proposed orders, must be sent to the correct email address in the appendix attached to this order.<sup>2</sup> Note that the type of document to be filed will determine which address to be used for each court.

### **D. Electronic Signature and Oath**

1. Any document filed by email must contain an electronic signature. An electronic signature is the paperless equivalent of signing one's name on a piece of paper. In order to comply with PMO-SJC-2(G) each electronic signature on a document filed by email must:

- a. Be the electronic signature of the attorney or party filing the document; and
- b. Take the form of either a "facsimile signature," defined as a captured image incorporated into the document, a "scanned signature," defined as signature affixed by the signer in ink on the signature line of a paper document and scanned with the document for electronic filing, or a "typographical signature," defined as a signature block with the name of the signatory typed on the signature line preceded by "/s/".

**The electronic signature shall have the same force and effect as if the attorney or party had signed a paper copy of the document.**

2. A plaintiff may file a complaint for a protection from abuse, a complaint for protection from harassment that does not require a filing fee, or

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<sup>2</sup> These email addresses are for the sole purpose of submitting documents for filing and may not be used for other types of communication with the clerk, judges, or other Judicial Branch personnel.

a motion to extend a protection order that does not require a filing fee by email without oath or notarization provided that, in place of an oath, the party affixes the party's typographical, scanned, or facsimile signature immediately below a declaration that states the following:

"I swear under penalty of perjury that the above statements are true and correct. I understand that these statements are made for use as evidence in court and that I am subject to prosecution for perjury punishable by up to 5 years in prison and a fine of up to \$5,000.00 if I give false information to the court."

**E. Email Subject Line and Cover Sheets for Documents that Are Filed by Email**

1. Each document filed by email after the complaint must list the docket number of the case and must be filed with a subject line that lists the docket number.

2. The filed document must be accompanied by a cover sheet (or cover email) that includes the following information concerning the attorney or party:

- a. Printed name;
- b. Address;
- c. Telephone number;
- d. E-mail address; and,
- e. If the signer is an attorney, the name of that attorney's law firm and the attorney's Maine Bar number.

If the filing party has completed an Affidavit for Confidential Address (PA-015), the filing party does **not** need to provide that party's address, telephone number, or email address, and can instead write "confidential address" in the cover sheet or email that accompanies the emailed document.

**E. Paper Originals for the Court When Documents Are Filed by Email**

**No paper original** of any document filed by email is to be mailed or delivered to the court.

## **F. Judicial Review of Complaints and Motions to Extend that Are Filed by Email**

Complaints for protection from abuse, complaints for protection from harassment without a filing fee,<sup>3</sup> and motions to extend protection orders without a filing fee **that are filed by email before 3:00 p.m. on a business day** will be presented to a judicial officer for review and determination the same day they are submitted. If they are submitted by email on a weekend, legal holiday, or after 3:00 p.m. on a week day, they will not be reviewed until the next available business day.

If a plaintiff is emailing a complaint for protection from abuse or a complaint of protection from harassment, or a motion to extend a protection order, the plaintiff must file PA-027 and follow the instructions on that form.

## **G. Service of Documents that Are Filed by Email**

### **1. Complaints and Motions to Extend that Are Filed by Email**

The court will arrange for the service by law enforcement of complaints for protection from abuse, motions to extend protection from abuse orders, complaints for protection from harassment without a filing fee, and motions to extend protection from harassment orders without a filing fee that are filed by email.

### **2. Service of Documents, other than Complaints and Motions to Extend, and Response Deadlines**

#### **a. Service on the Opposing Party**

- i.** When a document is filed in a case in which **both parties are represented by counsel**, the filing party shall always copy opposing counsel on the email to the court.
- ii.** If **only the filing party is represented**, the filing party shall copy the opposing party on the email when that

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<sup>3</sup> Complaints for protection from harassment that involve allegations of domestic violence, stalking, sexual assault, sex trafficking, or unauthorized dissemination of certain private images do not require a filing fee.

party has opted into electronic service under M.R. Civ. P. 5(b). If the opposing party has not opted into electronic service under M.R. Civ. P. 5(b), the filing party shall send a copy of the filed document to the opposing party by mail.

- iii. If **only the opposing party is represented**, then the filing party shall always copy the responding party's attorney on the email to the court.
- iv. If **neither party is represented**, the filing party shall not copy the opposing party on the email, and instead the court shall a copy of the filed document to opposing party. The clerk will send the document by email to the opposing party if that party has opted into electronic service under M.R. Civ. P. 5(b), and otherwise send it by mail.

**Copying an opposing party on an email to the court as required in sections G(2)(a)(i) – (iv) qualifies as service for purposes of this PMO.**

#### **b. Response Deadlines**

Response deadlines will be controlled by the applicable rules of civil procedure and statutory provisions, **except that the response period for a motion to continue will always be 3 days from the date of filing.**

#### **H. Appeals**

Email filing in appeals concerning protection from abuse and protection from harassment cases is governed by PMO-SJC-3.

#### **I. Rejection of Documents that Are Filed by Email**

Any email filing received that does not comply with this order will be rejected by the Clerk, and no filing will have occurred. **Repeated violations of this order may result in sanctions.**

Dated: December 1, 2020

For the Court:  
/s/ \_\_\_\_\_  
Andrew M. Mead  
Acting Chief Justice

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